

REMARKS/ARGUMENTS

This paper is filed in response to the Office Action of January 7, 2005 and the Advisory Action of March 23, 2005 (the Advisory Action was not received by Applicants through the mail, and the Examiner kindly faxed it to Applicants' attorney on May 4, 2005).

In the latest Office Actions, the Examiner rejected claims 18-28 and 38-44 under 35 U.S.C. §102(e) as being anticipated by U.S. Patent App. No. 2002/0095333 ("**Jokinen**").

As noted by Applicants in earlier responses, it has respectfully traversed the merits of such rejection. However, in order to remove **Jokinen** as a reference, Applicants have attached hereto a declaration under 37 CFR §1.131, which contains facts evidencing conception of Applicants' invention prior to January 18, 2001, and diligence in reducing the invention to practice.

The declaration demonstrates that Applicants conceived the invention well before January 18, 2001 (the filing date of **Jokinen**). Exhibit A is an invention disclosure (evidencing conception at least as early as February, 2000). The invention disclosure is dated May 19, 2000 (it was not physically signed because it was submitted electronically to the Applicants' employer First Data Corporation). Exhibit B shows that a draft of a patent application based on the invention disclosure (having the same title as the invention disclosure) was in existence as early as December 10, 2000. Exhibits C - G show various activities by the inventors between January 6, 2001 and March 6, 2001, in assisting in the preparation, review and revision of the patent application. As noted in the declaration (paragraphs 4 and 5), Applicants expended great effort and time during this period in reducing the invention to practice. Both Applicants had high level and demanding jobs with significant responsibilities. Their attorney was located in a different part of the country. They traveled on business frequently and often had to attend to their employment duties (including the work related to this application) on weekends.

Jokinen has an effective filing date of January 18, 2001. The enclosed declaration clearly shows that Applicants conceived of their invention prior to January 18, 2001, and were diligent in reducing the invention to practice. Accordingly, Applicants respectfully

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request that the Examiner remove **Jokinen** as prior art and withdraw the rejection of the pending claims based on **Jokinen**.

CONCLUSION

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 303-571-4000.

Respectfully submitted,



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Attachment (Declaration with 7 exhibits)
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